the Select Committee go through it and report to the House by early February. If that is done, it will be a delay of only two months. And the heaven is not going to fall within two months. So, I am suggesting.... *(Interruptions)*

THE DEPUTY CHAIRMAN: I do not know whether the heaven is going to fall or not. But the main thing is that when this matter was raised in the Business Advisory Committee that this Bill is going to be listed, they should have taken a decision at that time. Now, if in respect of every Bill when it comes for discussion, we take a decision on that day that it should go to a Select Committee or a Standing Committee, then this is not proper. These decisions should have been taken earlier. It came out for discussion today, it has been listed since Friday. No mention was made on Friday, no mention was made today. Now, Mr. Rama Shanker Kaushik has given a motion for sending this Bill to a Select Committee. Now, it is up to the Minister. If he feels that he can send it to a Select Committee, all right. If he feels no, then he has to get this Bill passed today; Let him speak.

DR. BIPLAB DASGUPTA: I will request him not to rush through this Bill.

THE DEPUTY CHAIRMAN: You have requested, and I have conveyed your request to him. *(Interruptions)* I do not know whether he wants to rush through this Bill or not. Let him speak.

THE MINES AND MINERALS (REGULATION AND DEVELOPMENT) AMENDMENT BILL, 1999

THE MINISTER OF MINES AND MINERALS (SHRI NAVEEN PATNAIK): Madam Deputy Chairman, I rise to move:

"That the Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957, as passed by the Lok Sabha, be taken into consideration."

DR. BIPLAB DASGUPTA(West Bengal): Madam, the hon. Minister has not given any answer to the point raised by us.

THE DEPUTY CHAIRMAN: Yes. Mr. Minister, you have also to speak on this Bill.

SHRI NAVEEN PATNAIK: Madam, I have been listening, through you, what the hon. Member has said. The proposed amendments to the Act are all progressive and rational and have been done with great caution. This is a simple Bill for the national good. Also, Madam, it proposes to delegate more powers to the State Governments. The proposed amendments will also encourage state-of-the art technology and bring in investment into our country. Also, Madam, this Bill will strengthen the laws against illegal mining. These are the main points that I would like to emphasise. I would like to clarify what the hon. Member has suggested. Since the time is crucial and any delay in the enactment of the proposed amendments would not be in the interest of the nation, it is essential that the amendments to the Act are carried out as early as possible, without reference to a Select Committee or a Department-related Standing Committee so that the objectives of induction of investment and technology in the mining sector are achieved quickly. I would also like to inform this august House that this process began at the time of liberalisation which began virtually a decade ago, in 1991, to be exact. In 1993, National Mineral Policy was announced which wanted to give more powers to the States and also throw open the mineral sector for private sector investment. In 1994, certain amendments were made to the MMRD Act. In 1996, there was a conference chaired by the then Minister of Mines and Minerals and which was attended by various State Ministers and State Secretaries of Mining and Geology. There was a lot of interaction for the proposed amendments to the Act which was further carried on in 1997 under the chairmanship of the then Secretary of the Department of Mines and the proposed amendments that have come now are on the basis of the recommendations of the Committee. Thank you, Madam.

उपसभापति : कौशिक साहब, यह सब सुनने के बावजूद भी आप अपना मोशन मूव करेंगे ?

श्री रमा शंकर कौशिक (उत्तर प्रदेश) : जी हां, मैं मूव करूंगा, महोदया ।

उपसभापति : आप मूव कर दीजिये । आप बोलेंगे नहीं, खाली आप नाम बता दीजिये।

श्री रमा शंकर कौशिक उपसभापति महोदया, मैं आपकी अनुमति से प्रस्ताव करता हूं कि

"खान और खनिज (विनियमन और विकास) अधिनियम, 1957 का और संशोधन करने वाले विधेयक को राज्य सभा की प्रवर समिति को सौंपा जाए जिसमें निम्नलिखित सदस्य होंगे -

श्री ई0 बालानन्दन
श्री खान गुफ़रान ज़ाहिदी
श्री नीलोत्पल बसु
प्रो0 रामगोपाल यादव
श्री गुरुदास दासगुप्त
श्री संघ प्रिय गौतम
श्री बलवन्त सिंह रामूवालिया
श्री गांधी आजाद
श्री जे0 चितरंजन एवं
श्री रमा शंकर कौशिक

और समिति को यह अनुदेश दिया जाये कि वह अगले सत्र के पहले दिन तक अपना प्रतिवेदन दे।"

मैडम, यह बात सही है जैसा कि माननीय मंत्री जी ने कहा कि इस एक्ट में भारी बदलाव किया जा रहा है और इसमें भी कोई संदेह नहीं है कि कुछ बदलाव अच्छे काम के लिए भी है जैसे राज्य सरकारों को इसके जरिए से और अधिकार दिए जा रहे हैं। लेकिन और भी बहुत अच्छी बातें हो सकती हैं और बार-बार हम अमेंडमेंट लाते रहें इससे अच्छा हो कि एक साथ प्रवर समिति को यह सुपुर्द हो जाए तो जो कुछ बातें इसमें छूट गयी हैं और कुछ ऐसी भी चीजें जो नहीं होनी चाहिए वे भी इसमें से निकाल दी जाएंगी और अन्य जो और चीजें अच्छी हो सकती हैं वे सम्मिलित हो जाएंगी जैसे कि राज्य सरकारों को पावर्स डेलीगेट की जा रही हैं। तो यह अच्छा होगा। इसलिए महोदया, मैं इस विधेयक को प्रवर समिति को सौंपे जाने की मांग करता हूं।

The questions were proposed

THE DEPUTY CHAIRMAN: The Motion for consideration of Mines and Minerals (Regulation and Development) Amendment Bill, 1999 and the Amendment moved thereto are now open for discussion. Shri Vayalar Ravi. The BJP has withdrawn its two speakers.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATIONS TECHNOLOGY(SHRI PRAMOD MAHAJAN): Madam, it is just because you are finishing it before the Short Duration Discussion, and if it continues after that, then my Members will also speak.

THE DEPUTY CHAIRMAN: I request Mr. Ravi and everybody else to be brief, and to the point. I went through the Bill. It is a very, very small Bill.

SHRI VAYALAR RAVI: Madam Deputy Chairperson, I rise to express my anxiety and apprehension regarding this Bill. As the hon. Minister knows, Kerala is one of the richest States in respect of minerals, especially because of their atomic content, and the Indian Rare Earths, a Government institution, is doing all the mining there. Even though they could not adopt modern technology, they exhausted their area recently. But there are other Government institutions which are also doing mining. The Kerala Metals and Minerals Corporation is existing only because of the availability of these minerals. Recently, last year I believe, while replying to one of my questions in the House, the hon. Minister himself said--I could not recollect it--that some changes had been made. Some changes through a Government Order have been made to enable even foreign companies to enter the area of exploration of minerals; I should put it that way. At that time, I myself wrote to the Government and I expressed my apprehension because those minerals are very vital, especially because of their atomic energy content. Minerals like rutile and silicon are available in Kerala. Rutile, titanium dioxide and many other minerals, they are making. My apprehension, at that time, was that if foreign private entreprises came and made over-exploration and exploitation of the minerals available in the sea coast of Kerala, that could damage, in future, certain industries which are existing only because of them, and our minterals which were meant for atomic energy institutions could also be taken away. I request the hon. Minister to clarify--because he has allowed these foreign companies and joint venures to enter this area--to what extent they can operate. As the hon. Minister has said, it can be an area meant for foreign investment. I want to know to what extent foreign investment can be made. As regards new technolgy, I am not disputing that. I request the Minister to clarify one more point. There was an international

Conference--Madam, I am speaking all this only from my memory; I could not bring my documents--in Belgium on this subject. It has been reported that the largest deposits of this kind of minerals are available only in India, and in other African as well as Latin American countries, they have been depleted. Because of over-exploitation, over-mining, this thing has come down heavily. But still, India is one of the richest countries where these minerals are available. I believe that the percentage is more than fifty. I may be corrected if I am wrong because I am speaking from my memory. If that is the position, naturally, the multinationals, some companies and even the atomically powerful countries would aim at exploiting the minerals available in our country and take them away. I would like to know from the Minister as to how he is going to regulate the exploration as well as the mining on our sea-coast, especially, on the sea-coasts where rich minerals are available. Secondly, I would like to know whether power has been delegated to the States. Silica is a kind of sand available in Cherthal, which is in my State. The State Government is issuing licences. You have delegated some powers to the State Governments to issue licences. Now you have given them more powers. I welcome that. I welcome your decentralised authority. I welcome it. I hope that every State Government is responsible and they should not give licences to every Tom, Dick and Harry to take up the whole burden. Of course, I am confident about that. The State Government is also equally responsible. At the same time, you must have some kind of a regulatory control over such vital minerals. Do you have any regulatory control? I mean, is there any restriction on certain minerals which are available in Kerala sea coast and places like Quilon etc. How do you propose to have restrictions on the minerals which should not be exported from this country? Uranium and other things have already been banned. Even during the early 50's, they were not allowed to be exported from India. I don't know whether it has been lifted or not. Even today we cannot afford to export these minerals to the atomically powerful countries. I have a vested interest in Kerala. That vested interest is this. The Kerala Mines and Minerals factory is one of the major producers of Titanium Dioxide in India. The factory is running at a high profit, good profit. It is a public sector unit. It is the pride of Kerala. The Government of India, -- the Congress Government, or, this Government, irrespective of the Government in power, -- occasionally tries to reduce the import tariff. Naturally, many MPs from Kerala want it and wish that it survives. By this enactment and the earlier order, there was an

apprehension. Some people, some foreign companies came and made a survey for exploration of the minerals to start a joint venture. They wanted to start the process in the name of modernisation. This Bill which we are going to pass is a very important Bill. Even though it is a minor Bill, it is a very important Bill which makes a deviation from the past national policy that we shall not export these minerals outside as it may help the atomically powerful countries to have more of these minerals and they may be used for the weaponisation of their countries.

I only seek two clarifications from the hon. Minister. The first question is this. Have you mooted any proposal for the joint venture? To what extent have you tried to control the multinationals coming to this country and repeat what has been done in Africa and Latin America? Secondly, to what extent have you been able to regulate this exploitation and exploration and the mining of these rich minerals available in this country. I hope you will be able to clarify these points. I think you should be very strong on these points. The rare minerals available in this country should not be over-exploited. We are rich in these minerals. The minerals in the other countries are depleting, but still we are maintaining our rich resources. With these words, I conclude.

SHRI JIBON ROY (West Bengal): Madam, I rise to oppose the Bill. *(Interruptions)* It looks very simple and small, but I find that there is some dangerous connotation in the Bill. Secondly, I have also got some experience of the trade union movement to know that the Bill is incomplete too. The thing is that the Bill has two parts. One part is that its aim or objective is to stop illegal mining, illegal prospecting and illegal exporting of minerals. The second part is that all authority regarding sanction of prospecting, leasing and mining should be transferred to the State Governments. There is a qualifying clause, "areas which are contiguous areas". This is the thing. In the Objective it is mentioned that illegal mining, illegal prospecting and illegal leasing will not be there and all the authority will be transferred to the State Governments. Then all the State Governments will frame their own laws and each of them will compete with the other to bring multinationals and all the mineral mines will be handed over to the multinationals. Therefore, a powerful regulation is required, even if we agree to transfer all the authority.

Madam, the second thing is that, so far as the minerals are concerned, the Centre is delegating its authority to the States, if I correctly understood the Bill. I agree that some authority should be given to the States. But a proper Central regulation is also required. If the Bill is passed, I don't think there is any need for the Ministry of Minerals at the Centre. The Ministry of Mines is sufficient. Is it not correct in the current state of affairs? You have adopted two Mineral Policies in the past. They are not reviewed. This Bill is also not reviewed. The opinions of technical experts are required. This should be vetted by the people who know about mining and mines. It is required. When you hand over the minerals, you are also handing over the gold-mines. From dolomites to gold to ilmenite, you are transferring and delegating the authority to the State Governments. You want to pass this Bill without being checked by a Select Committee or the concerned Standing Committee. It is imprudent, Madam. Another strange thing is that important Bills, which have important financial connotations, are brought directly to the House without being checked by a Select Committee or the concerned Standing Committee. Therefore, I feel that the Bill should be sent to a Select Committee. Let it be checked in detail. We want only regulation coverage. Without handing over the powers, you can do it through the rules. What happened to the industrial laws? There is a Supreme Court judgement which says that so far as the industrial relations are concerned, they should be tackled by the State Governments. So far as the industrial relations in Central Government factories are concerned, there is a Supreme Court judgement. The Government had preapred a law under the rules and that law has delegated some powers to the States. Keeping all powers in your hand, rules can be framed and power can be transferred to the States. We are also Members of Parliament. We know a little bit about industry. We know a little bit about trade unionism. We know a little bit about minerals and mining. Why don't you take us into confidence? You refer the Bill to technical persons and take their advice, and finally we will try to come closer. The Government talks about consensus. Consensus doesn't mean consensus between the first generation reformers and the second generation reformers. Consensus means consesus of the masses, the people, the sufferers. Therefore, try to take wherever possible. It reflects the state of mind. Madam, I draw your attention to this.

THE DEPUTY CHAIRMAN: Yes, I am listening to you. Mr. Jibon Roy, I know that you are opposing the Bill.

SHRI JIBON ROY: It reflects psychogenetic behaviour also. It reflects states of mind of the Government. I understand your commitment to Insurance Regulatory Development Authority Bill, your commitment to some others Bills. But if the Government do not take all of us into confidence, only second generation reformers and not others, it will be a great injustice to the nation, great injustice to the society.

THE DEPUTY CHAIRMAN: Mr. Jibon Roy, the Bill was listed for discussion on Friday. I am sure everybody must have spoken on this. *(Interruptions)*

SHRI JIBON ROY: Madam, I did not make it.

THE DEPUTY CHAIRMAN: Just one second. The Bill was circulated before Friday. All the Members must have read it. Members should have brought this to the notice of the hon. Chairman in the Business Advisory Committee and the Parliamentary Affairs Minister and the Government and the Bill could have been referred to. But, do you feel it is so serious? Raising it now, will only form part of the record of the Parliament. It does not really mean that the Bill is going to a Select Committee further. *(Interruptions)*

SHRI JIBON ROY: Madam, I go by your decision. I am talking about the status of mind of the Government.

THE DEPUTY CHAIRMAN: I am sorry, it is not my decision. I am not saying that it is my decision. I am saying that discussion of Bills, sending them to Select Committees is entirely the discretion of the Chairman of the House and the Government. Now, if you feel that the matter which you are raising is a serious issue, then, it should have been raised before the Bill came up for discussion. Now you may discuss it but it won't go to a Select Committee. It will be discussed half-way. We have only half an hour left. At three o'clock we will stop it. After this we have to take up another issue, which is also of great importance. So, all this discussion will take us neither here nor there. *(Interruptions)*

श्री रमा शंकर कौशिक : संशोधन तो पास हो सकता है, मैडम ।

उपसभापति : संशोधन तो नम्बर से पास होता है, देखिए वह मेथेमेटिकल चीज़ होती है, उसमें हमारी कोई राय नहीं है ।

SHRI NILOTPAL BASU(West Bengal): Just one point, Madam. We had brought to the notice of the Government and .*(Interruptions)*

THE DEPUTY CHAIRMAN: I am not aware of that.*(Interruptions)*

SHRI NILOTPAL BASU: ..that there are serious implications and we believe that in our system we have evolved the system of Standing Committees precisely to address the issues which are complicated in nature, and which require inputs from experts. Therefore, if the hon. Minister agrees, we can have a Select Committee. We can postpone the discussion. That is entirely up to the Government. We are saying that these are the kind of issues - I mean today also there was a big report on the Prime Minister wanting consensus in this country and these are the kind of issues on which you really need a consensus. Therefore, we leave it to the judgment of the Government. We think that on this issue there will be no problem and we can evolve a consensus. *(Interruptions)*

THE DEPUTY CHAIRMAN: Now, as we have started the discussion, I will call...

SHRI NILOTPAL BASU: Whether we take that course or not?

THE DEPUTY CHAIRMAN: Anyway, your eight minutes' time is over.

SHRI JIBON ROY: Anyway, I am opposing the Bill.

SHRI C. RAMACHANDRAIAH (Andhra Pradesh): Madam, I rise to support the amendments of this Bill. These are very small amendments which do not alter the material character of the Bill. I do not know why my left or right friends have apprehensions on such things. It is a very minor amendment. *(Interruptions)*

SHRI JIBON ROY: But serious implications are involved.

SHRI C. RAMACHANDRAIAH: Yes, I will tell you. I congratulate the Government for introducing these amendments, for this gesture which authorises the States with more powers with regard to granting licences. Under this present Bill with regard to permission of lease with regard to limestone, under part 'c' of the First Schedule, there were umpteen requests from the State Governments to delete all the 11 minerals from part 'c" of the First Schedule. The present Bill enables the Government to grant the lease only for limestone. They need not come to the Central Government. But in the meeting which was convened in 1996, the Chief Ministers of all the States had unanimously requested that all the minerals stated in part 'c' of the First Schedule should be deleted.

Madam, the State resources are very much affected with the invalidation of the Minerals Rights Tax and Cess. This Act came into force in 1991. The Government of Andhra Pradesh was levying mineral rights tax one to three times of the royalty for infrastructure development in the mining area. I would request the hon. Minister to consider allowing the State Governments to levy such taxes as necessary in the interest of the development of mining, particularly to create infrastructure. Thirdly, if any special condition has to be imposed for granting lease by the State Government, it has to get the consent of the Central Government. It has to go back to the Central Government. Now there is a clamour for decentralization. The States should be conferred with more powers. Why don't you make it more autonomous in the interest of mining development? You should create a conducive atmosphere for investment. Even for putting conditions for extension of lease or for renewal of lease, they have to come to the Central Government. It does not warrant. This requires amendment to Clause 27(3).

Now I come to the dead rent that has been fixed. The values of minerals vary. The dead rent is being fixed on extent, not on the value of minerals. The rate of royalty also differs from mineral to mineral. It is highly desirable and rational to relate it to the value of minerals rather than the extent of the area on which the lease is being granted. So far as granite is concerned, it is one mineral which is available in abundance in the State of Andhra Pradesh. It is a much sought after product. My request to the Government is that the granite policy should be made uniform and more powers should be conferred on the States for granting granite leases. This

industry has got tremendous employment and investment potentiality. Madam, there is one more anomaly in it. Generally, granting of granite leases is linked to the setting up of an industry. Suppose a person or an institution applies for lease in two States. It need not be mandatory to set up two units in two States. It has sources in two States. One plant will be sufficient because two sources will be able to cater to the needs of the industry. This is a problem which is being posed by to the entrepreneurs. This has to be taken care of. I would like to request the hon. Minister to take note of it and issue necessary instructions. Madam, I am confident that this amendment will create conducive atmosphere because it is investment friendly as stated in the Statement of Objects and Reasons. The proposal of delegation of powers to the States should be strengthened and the States should be conferred with more powers so that the entire mining development can be taken care of by the States. Thank you.

SHRI SANATAN BISI (Orissa): Madam, so far as Section 9(3) of the Act is concerned, the Government should have brought an amendment to this Section. Madam, Orissa is very rich in minerals. Madam, two Unstarred questions No. 2102, dated 11 August, 1997 and 2244, dated 6 July, 1998 were put. In both these questions, we had asked about the revision of the rate of royalty. So far as the revison of rate of royalty for Orissa is concerned, the State should have been given a separate deal because, in Orissa, so far as Group 1, Group 2, Group 3, Group 4, Group 5 and Group 6 are concerned, the quality of the coal is quite superior than the other States. Madam, the other thing which I would submit is that in reply to the Unstarred Question No.2244, it has been stated: "Royalty rate on major minerals are fixed by the Central Government, and the rates are uniform for all the States." So, my submission to the Minister is that, so far as Orissa is concerned, it cannot be uniform because the quality of the coal is quite superior than the other States. The other thing which I would submit is this. This matter was discussed at length in the State Assembly. The Chief Minister of the State had clearly stated that they had sent reminders and had made requests several times for the revision of the rate of royalty, so far as coal as well as chrome are concerned; but, till now, it has not been considered. I would want to know from the hon. Minister whether the request made by the Government of Orissa, as had been stated in the State Assembly by the then Chief Minister, Shri J.B. Patnaik, regarding the revision of rate of royalty, has been considered or not.

Madam, the other thing is regarding precious stones. Orissa is quite famous for precious stones. But, till now, the demand of the earlier Government of the State of Orissa has not been taken into consideration by the Union Government. These are my submissions.

श्री रामदेव भंडारी (बिहार) : महोदया, मैं इस बिल के माध्यम से केन्द्रीय सरकर का ध्यान दो बिन्दुओं पर दिलाना चाहता हूं। खान और खनिज पदार्थ राज्यों में होते हैं मगर अभी तक अधिकार केन्द्र के हाथ में है। जिन राज्यों में खनिज की भरमार है, बड़े भंडार हैं वह राज्य आज गरीब हैं और उन खनिजों की वजह से दूसरे राज्य आज धनी हैं। महोदया, मैं बिहार के बारे में कहना चाहूंगा। बिहार में कोयला, लोहा, बाक्साइड जैसे खनिजों का विपुल भंडार है और बिहार सरकार ने कोयले पर रायल्टी के संबंध में हमेशा केन्द्र सरकार के पास में भार आधारित रायल्टी के बदले में मूल्य आधारित रायल्टी निर्धारित करने का अनुरोध किया है। इस संबंध में एक हाई लेविल कमेटी भी बनी थी। उस कमेटी ने अपनी अनुशंषा में कहा है कि मूल्य आधारित रायल्टी राज्य सरकारों को दी जाए। मगर इस पर केन्द्र सरकार अभी भी चुप्पी साधे हुए है। मैं आपके माध्यम से कहना चाहूंगा कि जिन राज्यों का पिछड़ापन और गरीबी खनिज और खनिज पदार्थों का भंडार रहते हुए भी, अभी भी है, उनको उचित रायल्टी दी जाए और भार आधारित रायल्टी के बदले में मूल्य आधारित रायल्टी दी जाए। महोदय, बिहार सरकार को प्रति वर्ष इसकी वजह से पांच सौ करोड़ रुपए से ज्यादा का नुकसान हो रहा है।

महोदय, मैं दूसरी बात कहना चाहूंगा कि बी0सी0सी0एल0 की झरिया में जो खान है, वहां बहुत आग लगी हुई है तथा अखबारों में इस संबंध में समाचार आते हैं। वहां भू-धंसान भी होता है। अभी तक कोई ठोस कार्रवाई नहीं की गई है और कई गांव ऐसे हैं जो इस आतंक के साये में जी रहे हैं। किसी भी समय अंदर से आग बाहर आएगी, ज़मीन अंदर चली जाएगी और जान-माल का नुकसान होगा । इस संबंध में भी केन्द्र सरकार को कार्यवाही करनी चाहिए। महोदया, इस बिल पर और विचार करने की आवश्यकता है इसलिए मैं चाहता हूं और मेरी पार्टी चाहती है कि इस बिल को सेलेक्ट कमेटी में भेज दिया जाए और इस पर विस्तार से विचार किया जाए। धन्यवाद ।

श्री गया सिंह (बिहार) : मैडम, जो बिल हमारे सामने है, मैं इसका विरोध करता हूं । विरोध करने का साधारण कारण यह है कि आप बड़ी आसानी से कहते हैं कि राज्यों को हम पावर दे रहे हैं । यह तो अच्छी बात है लेकिन आज जो आप कहते हैं कि इल्लीगल माइनिंग को रोकेंगे, एनवायर्नमेंट कंट्रोल करेंगे और इससे कई तरह का विकास होगा लेकिन आज भी हमारे मिनरल कहां हैं ? सबसे पिछड़े हुए इलाके में जहां आदिवासी और जनजाति के लोग रहते हैं । अभी हमारे जीवन

राय जी ने कई सवाल उठाए और अन्य साथियों ने भी सवाल उठाए कि आप जल्दीबाज़ी में इस बिल को पास कराना चाहते हैं और इसका जो इंप्लिकेशन होने वाला है, देखने में बड़ा सिंपल लगता है कि आप राज्यों को पावर दे रहे हैं लेकिन आप रेगुलेट कैसे करेंगे, मॉनीटरिंग कैसे करेंगे? उसमें इल्लीगल माइनिंग हो रही है या नहीं, उसमें मल्टी नेशनल आ रहा है या नहीं, उसमें एरिया का डेवलपमेंट हो रहा है या नहीं, सोशल केयर ली जा रही है या नहीं, इस पर कोई चर्चा नहीं है । इसलिए मैडम, इस बिल का विरोध करते हुए इससे ज्यादा कुछ बोलने की ज़रूरत नहीं है । मैं समझता हूं कि देखने में यह बहुत साधारण है लेकिन इसका वाइटल इंप्लिकेशन है इसलिए इसको सेलेक्ट कमेटी में भेजा जाए । इसके कई बिन्दु हैं जिनसे हमें लगता है कि अगर इसको और इम्प्रूव किया जाए तो यह अच्छा हो सकता है । इसलिए आम राय से इस बिल को सेलेक्ट कमेटी में भेजकर अगले सेशन के पहले दिन लाइए । आप राज्यों को पावर दे रहे हैं, अच्छी बात है लेकिन उसको आप कंट्रोल कैसे करेंगे, रेग्युलेट कैसे करेंगे, कैसे मॉनीटर करेंगे ताकि इसमें दूसरी तरह की कोई चीज़ पैदा न हो कि छः महीने बाद या एक साल बाद फिर इस हाऊस में या उस हाऊस में हल्ला हो और फिर अमेंडमेंट करने की ज़रूरत हो, इसलिए एक ही बार इसे पास करें । मैं समझता हूं कि सत्ताधारी पार्टी को जल्दबाज़ी नहीं करनी चाहिए । जो जल्दबाज़ी वाला मामला था, वह तो पास करा लिया । अब कम से कम आम लोगों की राय भी मानिए और इसे सेलेक्ट कमेटी में भेज दीजिए। धन्यवाद ।

PROF. M. SANKARALINGAM (Tamil Nadu): Madam Deputy Chairman, our country's mineral wealth is rich, but our exploration of that wealth is not up to the optimum level. That is why we are importing coal and other minerals from other countries, which actually involves a huge amount of foreign exchange. So, we have to appropriate the mineral wealth of our country in such a way that we are able to extract it fully. A scientific survey, with modern technology, has to be undertaken to locate the mineral wealth and the quantity available throughout the country. It should be assessed scientifically. The Mines and Minerals (Regulation) Act of 1957 empowers the Central Government to issue licenses or leasing authority for minerals other than petroleum and natural gas. In 1997, a committee was constituted, under the chairmanship of the Secretary, Ministry of Mines, to make recommendations regarding the delegation of powers to the State Governments relating to grant and renewal of licenses and mining leases and other related approvals. The committee examined elaborately the proceedings of the Conference of State Ministers and Secretaries of Mines and Geology, held in 1996 and made the following recommendations. One is,

the new concept of reconnaissance operations is introduced. By this concept, a survey has to be undertaken scientifically and an assessment has to be made before identifying the mining areas. The committee also recommended delegation of powers to the State Governments relating to grant and renewal of licenses and leases and other related approvals. The Committee also reviewed the existing laws and procedures and recommended change in policies for prevention of illegal mining. The report also contained wide-ranging recommendations in the area of delegation of powers to the State Governments. After a careful consideration of the recommendations of the Committee, the Government has brought forward this amendment Bill. Many of the recommendations of the Committee have been incorporated in the Bill.

Madam, this Bill empowers the State Governments to identify the mining areas. It also empowers the authorities to issue licences and stipulates conditions to safeguard the interests of the people around these mines, the environment, rights of the States and the national interest at large. This Bill also gives powers to the State Governments to take suitable remedial measures for preventing illegal mining. Madam, I have an apprehension that the mining business, in some cases, leads to afforestation. This aspect has to be taken care of. The Central and the State Governments should take adequate safeguards so that the ecological balance is maintained. The devastation of forest region is very dangerous for our ecology. In certain areas, some big companies had got licence or lease for vast areas, but they did mining in a small portion of that area, and the rest of the area which was otherwise suitable for mining was kept unused for years together. Hence, I request that a time-limit should be fixed for starting work on these mines. It should be monitored effectively. Stringent action should be taken against those units which are engaging in child labour, flouting labour laws and using outdated mining techniques which are the causes for health hazards.

Madam, some very valuable minerals are found in some parts of our country, especially in the sea-shore sands. Shri Vayalar Ravi rightly mentioned that Kerala and the West Coast of the Arabean Sea is abundant in uranium, manosite and lignite. Actually, these minerals were found and identified there during the rule of the East India Company. At that time, a bundle of coir products had been exported to England. When the ship

containing coir products reached England, it was sold to a chemical company. When the people of the company saw the sand which had come along with the coir, they found that the sand contained very valuable minerals like uranium. They came over here and established near the Colachal Port that is at Monavalakurich in the Kanyakumari district this entire area is very rich in uranium, therefore, they established the Indian Rare Earth Company at Monavalakurich in Kanyakumari district, and one at Sabara in Kerala. So, exploration of minerals should be done scientifically to identify the deposits of minerals in the coastal area. With these words, I support the Bill.

SHRI RAMACHANDRA KHUNTIA (Orissa) : Madam, I oppose the amendments which have been brought in this House today in regard to Mines and Minerals (Regulation and Development) Act, 1957, because, in my opinion, these amendments will not serve any purpose. As has been shown in the Objects and Reasons, the Government has indicated three main reasons : one, for development of mines by introducing new technology by foreign investment; two, to give more powers to the States; and, three, to check illegal mining.

Madam, as we all know, in the world, India has a record of having more legislations. It also has a record of never implementing them in their true sense, whether Central legislations or State legislations. So, in my opinion, any amendment we may bring into any Act, will not serve the purpose until and unless the leaders and the Government have the political will to implement them.

Madam, before this legislation also there was this Mining and Minerals Act. There are many Acts to control leakage, illegal mining, and all other things which are happening daily. I know, even after this amendment, such things will continue, as they are happening now because we will not implement the Act properly.

The second thing is, Madam, development of mines, as they have stated. The main intention is not to give more powers to the States. The main intention is to give mines, the core sector, to the multinationals. That is the main intention of this Act. I am afraid, after the mines are given to multinationals, in the name of modernisation, I think, not only mines and

minerals get exploited to a great extent but also, workers, who work in the mines get exploited by them. As of today, we have an Act which prohibits employing contract labourers in mining. I can say boldly with all evidence that thousands of workers, all over the country including Orissa, are working inside the mines. It is a fact. Thousands and thousands of contract labourers are working in mines, in fields other than mining operations, inside mining areas having no Provident Fund, no ESI, no gratuity and not even getting the minimum wages. This is the state of affairs when the Government is the sole authority for mines. You can imagine the situation when multinationals come in. When they come in, one thing would be, the number of workers, who are regulars having Provident Fund, ESI, good service conditions, would get reduced and those workers who are today outside such things, would be exploited more and more. I do not think the Government will be able to control the multinationals. The Government is not able to control the national industrial mines owners and the public sector management. How can the Government control the multinationals, who come here with an intention to earn money alone?

The second thing I want to say about development of mines is with regard to the plight of the local area population and the plight of inhabitants having been evacuated from the mine areas. I have got direct knowledge about Orissa and I know. Those who have been evacuated for the purpose of mining about five or ten years ago have not got the compensation till date. They have not been rehabilitated till today. Till now, their sons, daughters and relations have not got any service in the mines. So, what about these multinationals? When our own national company, a coal company, which is run, managed, supervised and controlled by the Government is not able to give compensation, is not able to give service to the persons who have been evacuated ten years back, could we expect that multinationals who come for exploitation of mines give natural justice to persons who will be evacuated? I do not think, Madam, it is possible.

The third thing is about Orissa because I hail from Orissa. I do not want to repeat whatever has been said by hon. Members like Shri Bisi and other friends about the claim of the Orissa Government in regard to enhancing the royalty.

3:00P.M.

Madam, I do not want to repeat what has already been said by other hon. Members regarding enhancing of royalty to the State of Orissa. I would like to know from the Government whether they are going to delegate more powers to the State. The Government should also consider enhancing coal royalty to Orissa. It is not a demand only by J.B. Patnaik or Biju Patnaik or any other Patnaik, but it is a demand of the whole Orissa. I would like to say that those who are sitting on the other side of the House when they were in the opposition in Orissa, they were openly demanding the same thing which we are demanding today - the legitimate coal royalty to Orissa. I do believe that we are fortunate enough that the hon. Minister belongs to Orissa. I am not saying this from any regional point of view. But, I do expect that when the Government considers of giving more powers to the State Government, it will be kind enough to consider the legitimate claim of Orissa.

Madam, another point that I want to stress is that the NALCO is a Government company. They release ammonia which causes miseries to the people . Thousands of people are suffering in Talcher and Ivali coal areas. Due to pollution caused by this company there is a lot of environmental problem and many people are suffering from TB and other chest diseases. The companies who were doing mining or manufacturing in a factory they used to pay some part of their profits for the development of the local area and the health care of people living there. They were also spending some amount of their profit for protecting the environment. I think, at present also, when these companies are under the Government, they are doing something in this regard. Should be expect that the private companies will also spend some money on the health care and on the development of the local area? The private companies are not doing it. So, we are afraid that if these mines are given to the multinational companies, it will cause miseries to the workers. I would say that this amendment is not in the interest of the general public; it is not in the interest of the nation; it is not in the interest of the working class. It is only in the interest of the multinationals. I oppose this amendment strongly. Thank you, Madam.

SHRI N. THALAVAI SUNDARAM (Tamil Nadu): Madam, I thank you for giving me this opportunity to speak. As far as mining is concerned, we are placed at the seventh position. We are placed second in

the world. I would like to seek only one clarification from the hon. Minister. Shri Vayalar Ravi and other hon. Members have already pointed out that is going to happen when the multinationals come to our country. Madam, there is a company called Transworld Garnet India Pvt. Limited which has set up a project in Tirunelvelli area of Tamil Nadu. This has been done against the advice given by the Industry Secretary of Tamil Nadu who stated in his letter, "I therefore, strongly advise against granting mining leases to foreign based companies and foreign entrepreneurs for exploitation of garnet in coastal areas of Tamil Nadu." There is also a report by a Naval officer which says, "It is important to confirm from the security point of view that the company has a satisfactory approval from the Government of India." I would like to inform the hon. Minister that this company has come from America. It has recently set up its projects in Tamil Nadu. This company was in the worst condition in America. I would like to know from him as to who will take care of this company because in spite of objections by the Industry Secretary of Tamil Nadu and by a Naval officer, the State Government, the concerned Minister, granted lease to this company. I would like to know from the hon. Minister as to what action has been taken against this multinational company. My learned friend, Shri C. Ramachandraiah, has also said that it is a simple amendment and all the powers are delegated to the State Governments. We welcome this. Even though we are welcoming this, the Secretary, Industries, Government of Tamil Nadu, and the naval officers are strongly objecting to it. But the present Chief Minister of Tamil Nadu gave his sanction to this multinational company - Trans World Granite India. We are very much afraid of this kind of industries coming to our country. Madam, originally, there was one industry in Tamil Nadu. We are very afraid of this amendment because Section 30 clearly talks about filing of revision petition. It says about the filing of a revision petition before the appellate authority i.e., the Government of India. I request the hon. Minister to take necessary action on this multinational company...*(Interruptions)*...

SHRI C.P. THIRUNAVUKKARASU (Pondicherry): Madam, he is saying that this unit...*(Interruptions)*...

SHRI N. THALAVAI SUNDARAM: You are not able to understand...*(Interruptions)*...You were simply sleeping...*(Interruptions)*... You are not able to understand...*(Interruptions)*...

THE DEPUTY CHAIRMAN: It is not for you to understand because you are not going to answer...*(Interruptions)*...It is for the Minister to understand...*(Interruptions)*...

SHRI C.P. THIRUNAVUKKARASU: I doubt whether the Minister has understood anything...*(Interruptions)*...

THE DEPUTY CHAIRMAN: That is his problem... *(Interruptions)*...

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Madam, the real issue is...*(Interruptions)*...

THE DEPUTY CHAIRMAN: The issue is only Tamil Nadu...*(Interruptions)*...That is all...*(Interruptions)*...There is no other issue...*(Interruptions)*...

SHRI N. THALAVAI SUNDARAM: There is no issue at all...*(Interruptions)*...

DR. (MS.) P. SELVIE DAS (Nominated): Madam, I congratulate the Government for bringing in certain legislative changes in the Bill regarding mines and minerals. I have one apprehension. It is with regard to privatisation. It is because of the very bad experience that we had with Bharat Gold Mines Limited at Kolar. However, I had also said, last time, when I was speaking on the Insurance Regulatory Development Authority Bill, that we have to accept certain changes for our growth and development. I would like to address my question, through you Madam, to the hon. Minister. The government have made a change in the Bill that the State Governments will be deleged with more powers. While the Government are delegating more powers to the States, will there be a cut in financial and other asistance that the Government of India have been giving to Mine Madam, I have already met the Honourable Minister for Mines in connection with BGML.

Madam, BGML became a public sector undertaking and came under the control of the Department of Mines in 1972 and is located in Kolar Gold

Fields in Karnataka. It is about a 105-years old mines. This was a private unit till 1972 and was under the control of M/s John Taylor and Company. All the gold had been taken out. They had gone deeper and deeper, by exploiting the poverty-stricken people. Of course, now, all the people and the employees of the Kolar Gold Fields have accepted the fact that it is a sick company and not economically viable. As far as my knowledge goes, the production cost comes to Rs. 12,000 per ten grams of gold, whereas, in the market, the price of ten grams of gold is Rs. 5,000 or even less. The cost, as you know, fluctuates. Due to loss, the Government introduced the voluntary retirement scheme in the BGML. Since it is a sick unit, it was referred to the BIFR in 1992. In 1997, the Government decided to explore the possibility of rehabilitating the BGML through a joint venture route. I really doubt very much, when it is such a sick unit, which foreigner or which foreign company will come and join. However, they constituted a Committee, and, according to the Committee's Report, it was decided that the company will be dealt with as per the provisions of the Sick Industrial Companies (Special Provisions) Act, 1985.

I would like to thank the Government that it has approved an outlay of Rs.450 lakhs as a Plan allocation towards the capital expenditure during 1998-99. However, it is a very meagre amount. The Government has also provided a Non-Plan allocation of Rs.16.55 crores during the current year. It is also not a very big amount. As diversification measures, the company has also undertaken shaft sinking and mine construction, manufacture of mining equipments, and fabrication of machinery components. For this, an engineering division has been established. Of course, it is going on fairly well, I must say. About 33 million tonnes of dumps accumulated, over the years, provide a source of gold extraction. We can extract gold also through the latest Carbon -Inful Technology, which had been suggested by our the then Secretary Mr. Tandon.

Madam, mine construction, they have taken a lot of contracts. They have completed about 68 jobs, worth Rs.107.74 crores. They are executing five more contracts that cost about Rs. 25 crores. The contracts worth Rs. 13 crores are under negotiations. They have done 220 lakhs works during 1998-99 in manufacturing. They have done about 313 lakhs works in 1999 in the engineering division. The mining division has done a lot of work with

the available employees and infrastructure. I would like to bring to the notice of the Government that there are about 4,000 odd employees. Though the voluntary retirement scheme has been introduced, yet, only a few of them, that is, about 1,000 of them, have retired; of course, not happily, but there was no other option. Out of 3,000 people, 2,000 odd people are scheduled caste and scheduled tribe people. Most of them migrated from the North Arcot and the South Arcot districts of Tamil Nadu three to four generations back. They really need to be rehabilitated. The employees are value-based people, I must say. They have taken a pledge on 31.8.1998 to work with dedication and desist from violence, to resolve their problems by peaceful and constitutional means. Therefore, I request the Government that, at this particular juncture, it should not to give this kind of a sick institution to the State Government, by delegating powers to them. I think, when a child is sick, you have to take more care of the child and not hand over the child to somebody else. Therefore, I urge that this sick institution, that is, the Bharat Gold Mines Ltd. should be taken care of by the Government of India and more projects should be brought in. Thank you, Madam.

श्री गांधी आजाद (उत्तर प्रदेश) : महोदया, हमारे देश में प्रकृति द्वारा इतनी प्रचुर मात्रा में प्राकृतिक सम्पदा प्रदान की गयी है कि प्राकृतिक सम्पदा के मामले में हमारा देश दुनिया का एक धनवान देश है, किन्तु खेद के साथ कहना पड़ता है कि इस धनवान देश में गरीब लोग निवास करते हैं क्योंकि यहां न केवल प्राकृतिक संसाधनों का शोषण कम किया जाता है बल्कि इन कार्यों में लगे लोगों का शोषण व दोहन ज्यादा होता है ।

महोदया, इस विधेयक में इन कार्यों में लगे लोगों पर ध्यान कम दिया गया है, इसलिए मेरी राय में इस बात का समावेश करने के लिए इसे राज्य सभा की प्रवर समिति को सौंपा जाए । धन्यवाद ।

THE DEPUTY CHAIRMAN : Mr. Minister, will you now please reply to all the queries?

SHRI NAVEEN PATNAIK : Madam Deputy Chairperson, I have been listening carefully to the valuable suggestions made by the hon. Members and some apprehensions of the hon. Members regarding the amendments to be made to the Mines and Minerals (Regulations and

Development) Act of 1957. I will endeavour to discuss these matters in the statement that I am making now. I repeat, Madam, that this is a progressive Bill, a Bill very much in tune with our changing times. Now, I come to some of the salient points of this Bill. According to the international standards, we have a proposal for a separate stage of reconnaissance. Reconnaissance operations, according to international standards, will now be in that category followed by prospecting and mining. Also, where reconnaissance area limits were prescribed on a nation-wise scale, it will now be done on the State-wise scale. This is much more practical and better for the development of minerals. Leasing power of 'Mineral limestone' is now going to be delegated to the State Governments which is a long-standing demand of many State Governments. Also powers to grant leases for certain areas which are non-contiguous and non-compact will be given to the State Governments. The hon. Members know, Madam, that as far as illegal mining is concerned, we have the proposals as to how to strengthen these laws for preventing the movement and transport of illegal minerals. Also, confiscation of equipment which are for illegal mining and confiscation of stored illegal minerals is being suggested .

Madam, now I would also like to address some of the points made by the hon. Members. The hon. Shri Vayalar Ravi talked about the rare minerals. I would like to inform him, Madam, of course, through you, and with your kind permission, that the Department of Atomic Energy formulates the policy for foreign direct investment for atomic minerals. The Department of Atomic Energy monitors the Atomic Energy Act and the rules made thereunder. This Bill is not concerned with this particular matter.

THE DEPUTY CHAIRMAN : So, Mr. Vayalar Ravi's concern is over now.

SHRI VAYALAR RAVI : Madam, I believe it is in Schedule Part(b).

SHRI NAVEEN PATNAIK : Madam, of course, I have taken note of what the hon. Member has said and I understand his concern. Now, the hon. Shri Jibon Roy had brought up several points. I would like to clarify that this Bill is neutral with regard to Indian companies and subsidiaries of

multinational companies. Madam, I may clarify, as the hon. Members are aware, that we need capital as well as state-of-the-art technology for exploration of minerals. If Indian subsidiaries of multinational companies do reconnaissance and identify mineral occurrence, these companies are in no way depriving the nation of its mineral wealth. I may also point out that it may not be possible to physically take away minerals in their raw forms. Shri Jibon Roy has referred to gold, about which, we all know in our country particularly, what a very precious mineral it is. I want to say, for example, that a gold deposit having 20 grams per tonne is a very good deposit. But, if someone is to take that raw form containing 20 grams of gold out of India, he will have to carry a muck of one tonne, which may not be economically viable. Consequently, the value addition will have to take place in India. Hence, it would not be correct to assume that investment in the mineral sector would result in flight of the mineral wealth from this nation. Also, if I may return to another query.....

THE DEPUTY CHAIRMAN: Instead of saying "gold", you could have said, "diamonds and precious stones." That would have been a better example because they can be pocketed easily. ... *(Interruptions)*

SHRI NAVEEN PATNAIK: Madam, if you permit me, through you, I will address another query, which the hon. Member, Shri Jibon Roy, has made. The Tandon Committee, which, I am sure, the hon. Member knows about, had representatives from the State Governments, the Indian Bureau of Mines, which is a technical body, and this Committee has recommended the amendments. The State Secretaries and the Directors of Mining and Geology, who are all experts and technical people, were also represented in this Committee.

Madam, another hon. Member, Shri Ramachandraiah, has asked about the cess. The State Governments have been recommending from to time that access, over and above the royalty, should be levied for infrastructure and local area development. A number of State Governments had fixed cess and mineral tax in the past, which was struck down as *ultra vires* by the hon. Supreme Court. Through a Validation Act introduced thereafter, the Government of India validated the cess collected by the State Governments prior to the Validation Act so that the State Governments are

not required to refund the amount to the lessees. The Tandon Committee, which reviewed the existing laws, observed that the cess was introduced by the State Governments when the development activities undertaken by the State Governments were either nil or very limited, which was not the case now. Further, the State Governments do not make any distinction between areas with mineral resources and other areas insofar as development of infrastructure and other developmental activities are concerned. Therefore, a separate imposition of cess is not justified. However, the State Governments will be perfectly justified to earmark a certain percentage of royalty amount derived from the levies, for specific development purposes in and around the mining areas.

Madam, again, in reply to another question by Shri Ramachandraiah, the hon. Member will be happy to know that we have notified the Granite Conservation and Development Rules, 1999, with effect from 1-6-1999 for uniform and systematic and scientific mining of granite in India.

Another hon. Member, Shri Sanatan Bisi, who hails from my State, showed his natural concern for the State of Orissa. That is the concern I feel equally deeply.

He asked about coal. I want to tell him that royalty on different varieties of minerals, say, coal etc., can be different, but these rates of royalty would be the same throughout India.

I want to clarify the point raised by hon. Member, Shri Bhandary, that management of a coal company like the BCCL, is beyond the scope of these discussions.

Another hon. Member from my State, Shri Khuntia, has opposed the Bill, without realising the essence of the Bill. The Bill seeks to delegate more powers to the State Governments. The Opposition has been continuously demanding that more and more powers should be devolved on the State Governments. And, when the actual devolution of powers is attempted, I am surprised that this is being opposed. I may also emphasise that there is a wide consensus among the States and the industry regarding the amendments, which have been incorporated in this Bill. Both the miner fraternity and the

State Government have been repeatedly requesting me that the Bill should be passed; the amendments in the Act should be made as early as possible.

SHRI RAMCHANDRA KHUNTIA: When his party was in the Opposition in Orissa, they also were demanding giving of royalty. Today he is a Minister. He must categorically say whether the demand for coal royalty by Orissa is justified or not. He should say that categorically because that was the demand of his party. He can ask his colleague sitting near him. If the hon. Minister wants, I can show him the paper-cutting and the record of the Assembly.

SHRI NAVEEN PATNAIK: Madam, I would like to inform the hon. Member, Shri Khuntia, that the revenue from royalty on coal is collected and retained by the State Governments, including Orissa.

The discussion about another subject -- NALCO -- is beyond the scope of the Bill.

श्री नरेश यादव (बिहार) : महोदया, श्री भंडारी साहब ने यह जानना चाहा था कि बिहार को जो रॉयल्टी मिल रही है, वह मूल्य के आधार पर मिलनी चाहिए, इसके बारे में मंत्री जी ने अपने जवाब में कुछ नहीं बताया है । महोदया, झरिया में जो आग लगी हुई है, किसी भी समय देश में बड़ी दुर्घटना हो सकती है, इसके बारे में मंत्री जी ने कुछ नहीं बताया है ।

SHRI NAVEEN PATNAIK: The Government, of course, is deeply concerned about the safety. We will look into this matter.

The hon. Member, Ms. Selvie Das, spoke about the Bharat Gold Mines. Madam, it is outside the scope of this discussion. Of course, as Madam Das knows, the company is before the B.I.F.R.

To sum up, I would say that this Bill seeks to usher in an investor-friendly environment to evolve a hassle free regime and to delegate further powers to the State Governments. Therefore, I would suggest, with your kind permission, that the Bill be passed.

THE DEPUTY CHAIRMAN: I shall first put the amendment moved by Shri Rama Shankar Kaushik for reference of the Mines and

Minerals (Regulation and Amendment) Bill, 1999, to a Select Committee of the Rajya Sabha to vote.

प्रश्न यह है कि :-

"खान और खनिज (विनियमन और विकास) अधिनियम, 1957 का और संशोधन करने वाले विधेयक को राज्यसभा की प्रवर समिति को सौंपा जाए जिसमें निम्नलिखित सदस्य होंगे :-

श्री ई. बालानन्दन
श्री खान गुफ़रान ज़ाहिदी
श्री नीलोत्पल बसु
प्रो. रामगोपाल यादव
श्री गुरुदास दासगुप्त
श्री संघ प्रिय गौतम
श्री बलवंत सिंह रामूवालिया
श्री गांधी आज़ाद
श्री जे. चितरंजन एवं
श्री रमा शंकर कौशिक

और समिति को यह अनुदेश दिया जाए कि वह अगले सत्र के पहले दिन तक अपना प्रतिवेदन दे ।

The motion was negatived.

THE DEPUTY CHAIRMAN: I shall now put the motion moved by Shri Naveen Patnaik regarding Mines and Minerals (Regulation and Development) Amendment Bill, 1999 to vote.

The question is:

That the Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957, as passed by the Lok Sabha, be taken into consideration.

The motion was adopted.

THE DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Clause 2 to 24 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI NAVEEN PATNAIK: Madam, I beg to move that the Bill be passed.

The question was proposed:

श्री अनन्तराय देवशंकर दवे (गुजरात) : महोदय, इस बिल में जो प्रोविजन किया गया है बडी-बड़ी कम्पनी जो सर्वे करेंगी, चूंकि मिनिस्टर साहब ने नहीं बताया इसीलिए मैं पूछ रहा हूं। बड़ी-बड़ी कम्पनी जो सर्वे करेंगी और जो अपना मेप्स वगैरह बनाएंगी उसकी प्रॉयोरिटी फिर लीज में दी जाएगी ऐसा प्रोविजन किया गया है? तो मैं मानता हूं कि मिनिस्टर साहब ने अभी जो क्लेरिफिकेशन नहीं किया है जो छोटे-छोटे एंट्राप्रिन्युअर्स होंगे उनका भी राईट रिजर्व रूल्स में किया जाएगा, ऐसा कोई वेरिफिकेशन ऑन एकाउंट है?

SHRI NAVEEN PATNAIK: Madam, in reply to the hon. Member's question, both in the case of domestic companies and companies which have foreign investment, everything will be rationally dealt with in accordance with the Law. Thank you, Madam.

THE DEPUTY CHAIRMAN: The question is:

That the Bill be passed.

The motion was adopted.

THE DEPUTY CHAIRMAN : Though we have allotted two hours for this Bill, we could finish it within 1 1/2 hours. Now, we will take up Short Duration Discussion. Mr. Gurudas Das Gupta, how much time will you take? I was mentioning, if we take each party's time into account, then, you have five minutes. But it will be unfair because the Mover of the discussion should have reasonably enough time. So, fifteen minutes will be okay.

SHRI GURUDAS DAS GUPTA: Madam, please give me twenty minutes.

THE DEPUTY CHAIRMAN : No bargaining.

SHRI GURUDAS DAS GUPTA : I am not bargaining.

SHORT DURATION DISCUSSION

Disinvestment Policy of Government

SHRI GURUDAS DAS GUPTA (West Bengal) : Respected Chairperson, once we used to discuss the matter of investment related with growth, growth related with human welfare and employment generation. Just see how the situation in the country has changed drastically. Today, we are discussing the disinvestment policy of the Government. It has been envisaged that all our national assets should generate resources to meet the budgetary deficit because we do not have any other alternative. Madam, a policy had been formulated, but the policy could not be implemented. A target was fixed, but the target could not be reached. A Commission was appointed, but the Commission has been disbanded. Madam, it is a sordid story of mal-administration and mismanagement of our valuable national assets. Whatever assets our predecessors have built up are being put on sale, but no new assets are being created. Madam, since the federal finances are in shambles, therefore, we have to sell our family jewellery to meet thegrocer's bill. That is where the country has been taken to, by the policies that are being followed.

Therefore, Madam, the reckless disinvestment policy and senseless squandering away of national resources needs to be discussed because it draws the nation's attention today. Madam, it was in 1991 that my respected colleague, Mr. Manmohan Singh talked of disinvestment. It was said that there should be a sale of 20 per cent of the Government equity in the public sector undertakings to pay for the budgetary deficit and the equity has to be sold to mutual funds, financial institutions, including banks. At that time, the economy was critically ill. In 1996, the United Front Government talked of transparency, talked of orderly disinvestment, appointed a Commission, and it is useful to recollect for the House that the United Front Government called for investment of the yield on disinvested equity for human welfare, for